

MULET SALORT et al.

Appl. No. 10/552,686

Atty. Ref.: 4982-12

Amendment

June 13, 2008

AMENDMENTS TO THE DRAWINGS

Please insert the attached Replacement Sheets 1/5 and 4/5 of the originally-filed drawings sheets and containing Figures 1, 2 and 5 is requested. No new matter has been added. Corresponding Annotated Sheets are not attached as there has not been any changes in the Replacement Sheets to show by underlining and strike-through text, for example.

REMARKS

Reconsideration is requested.

Claims 1-26 have been canceled, without prejudice. Claims 27-39 have been added and are pending. The new claims are believed to read on the elected subject matter. The new claims are believed to find support throughout the specification. No new matter has been added.

The specification has been amended to include the attached substitute specification. A marked-up copy of the attached substitute specification is also attached. No new matter has been added. The specification has been revised to include a new Title, to obviate the Examiner's objection to the same. The specification has been revised to include the attached Sequence Listing. The attached paper and computer readable copies of the Sequence Listing are the same. No new matter has been added. Reconsideration and withdrawal of the objection to the specification stated on pages 3-4 of the Office Action dated February 22, 2008 are requested.

Figures 1, 2 and 5 have been replaced with the attached Replacement Sheets 1/5 and 4/5 of the originally-filed drawings in response to the Examiner's objection to Figures 1, 2 and 5. Corresponding Annotated Sheets are not attached as there has not been any changes in the Replacement Sheets to show by underlining and strike-through text, for example. No new matter has been added. Entry of the attached Replacement Sheets 1/5 and 4/5 for the originally-filed drawings sheets 1/5 and 4/5 and withdrawal of the objections to the drawings are requested.

The objections to claims 16 and 18 are moot in view of the above amendments.

The Section 112, first paragraph "written description", rejection of claim 18 is moot in view of the above.

The claims are submitted to be supported by an adequate written description.

One of ordinary skill in the art will appreciate that the applicants were in possession of at least the subject matter of the claimed products (i.e., claims 27-33).

The specification describes, for example, sequences of the claims in the following passages of the specification: page 9, lines 12-33; page 10, lines 20-23; page 11, line 28 through page 12, line 20; page 13, line 29 through page 15, line 31; Figure 3 and the corresponding description of same on page 36; and the Examples.

Beyond the above-noted passages of the present specification, the Examiner is also requested to see, for example, "Example 10: Product Claimed By Its Function" of the WRITTEN DESCRIPTION TRAINING MATERIALS Revision 1, March 25, 2008, available on the U.S. Patent Office web site at <http://www.uspto.gov/web/menu/written.pdf>, which is submitted to support the applicants belief that the present specification should be found to at least provide an adequate written description for the claimed products.

The Section 112, first paragraph "enablement", rejection of claim 18 is moot in view of the above.

The claims are submitted to be supported by an enabling disclosure. Beyond the above-noted description of the claimed products, the applicants note that the level of skill in the art of making and screening variant proteins containing a structure of the present claims is advanced. The specification teaches alternate means to make and

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screen proteins of the claims which will be appreciated by those of ordinary skill in the art as not requiring undue experimentation. The claims are submitted to be supported by an enabling disclosure.

The Section 112, second paragraph, rejection of claim 16 is moot in view of the above. The claimed methods are definite. The metes and bounds of the claimed methods will be appreciated by those of ordinary skill in the art.

The Section 101 rejection of claim 16 is moot in view of the above. The claim define patentable subject matter.

The Section 102 rejection of claim 18 over Bevan M. et al. (Putative uncharacterized protein F 19B 15.190 (At4g29 160), Uniprot Accession No. Q9SZE4, O 1 -MAY-2000) is moot in view of the above. The claims are patentable over the cited reference.

The claims are submitted to be in condition for allowance and a Notice to that effect is requested. The Examiner is requested to contact the undersigned, preferably by telephone, in the event anything further is required in this regard.

Respectfully submitted,

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